

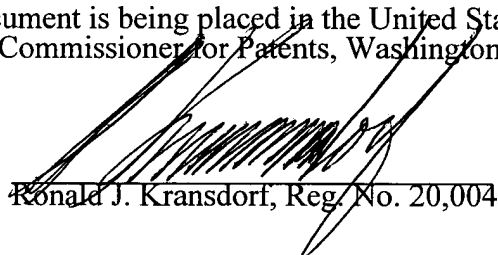
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ATTORNEY'S DOCKET NO: R0346/7016 (RJK)  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kemp  
Serial No: 09/242,096  
Filed: February 8, 1999  
For: AUDIO EFFECTS SYNTHESIZER WITH OR WITHOUT ANALYZER  
  
Examiner: Pendleton, B.  
Art Unit: 2644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 25<sup>th</sup> day of June, 2001.

  
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Commissioner for Patents  
Washington, D.C. 20231

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AMENDMENT

Sir:

This Amendment is being submitted in response to the Office Action mailed February 28, 2001 on the above-identified patent application.

REMARKS

Claim Rejections – 35 U.S.C. §102

The Examiner rejected claims 1-3, 5-7, 10-12, 14-16 and 19-22 under 35 U.S.C. §102(e) as being anticipated by Kitamura, U.S. Patent 6,055,502 (hereinafter "Kitamura"). While there are substantial reasons why Kitamura is not a full anticipation of the rejected claims, this issue need not be reached since Kitamura is not an appropriate reference against this application. In particular, the Kitamura patent was filed on September 27, 1997, and there is no indication on the face of the patent that it is entitled to an earlier filing date. Conversely, this application, while not filed until May 26, 1999, has an international filing date of August 8, 1997, roughly a month and one half prior to the Kitamura filing date, and has a priority date of August 9, 1996